

RCW 42.52.010 Definitions. (Effective until January 1, 2026.)

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the legislative, executive, or judicial branch of state government. "Agency" includes all elective offices, the state legislature, those institutions of higher education created and supported by the state government, and those courts that are parts of state government. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Appearance" means the act of performing or participating in an event.

(3) "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another person, believing that the action is of help, aid, advice, or assistance to the person and with intent so to assist such person.

(4) "Beneficial interest" means a financial interest in a contract, sale, lease, purchase, or grant to which an individual subject to the act is not a party, but is an owner of an entity that is a party. An ownership interest of less than 10 percent of an entity is not a beneficial interest. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

(5) "Charitable association, institution, or organization" means any entity that provides services beneficial to the public to an open class of people.

(6) "Civic organization" means a nonprofit group relating to the duties or activities of people in relation to their town, city, or local area.

(7) "Community organization" means an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning.

(8) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.

(9) "Confidential information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

(10) "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement, or a sales agreement.

(11) "Emergency" means a serious, unexpected, and often dangerous situation requiring immediate action.

(12) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive ethics board.

(13) "Extraordinary award" means a national, state, or local award with very few recipients that is sufficiently infrequent to be noteworthy to a reasonable person.

(14) "Family" has the same meaning as "immediate family" in RCW 42.17A.005.

(15) "Federal holiday" means the legal public holidays provided in 5 U.S.C. Sec. 6103(a), as it existed on July 27, 2025.

(16) "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee, or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.

(17) "Honorarium" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.

(18) "Institution of higher education" has the same meaning as in RCW 28B.10.016.

(19) "Lobbying the legislature" means attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington.

(20) "Official duty" means those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the state Constitution.

(21) "Official position" means holding an office or having authority.

(22) "Participate" means to participate in state action or a proceeding personally and substantially as a state officer or state employee, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or otherwise but does not include preparation, consideration, or enactment of legislation or the performance of legislative duties.

(23) "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

(24) "Regulatory agency" means any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

(25) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

(26) "State action" means any action on the part of an agency, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(27) "State employee" means an individual who is employed by an agency in any branch of state government. For purposes of this chapter, employees of the superior courts are not state officers or state employees.

(28) "State officer" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state. "State officer" includes judges of the superior court, judges of the court of appeals, justices of the supreme court, members of the legislature together with the secretary of the senate and the chief clerk of the house of representatives, holders of elective

offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. For the purposes of this chapter, "state officer" also includes any person exercising or undertaking to exercise the powers or functions of a state officer.

(29) "Thing of economic value," in addition to its ordinary meaning, includes:

(a) A loan, property interest, interest in a contract or other chose in action, and employment or another arrangement involving a right to compensation;

(b) An option, irrespective of the conditions to the exercise of the option; and

(c) A promise or undertaking for the present or future delivery or procurement.

(30) (a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

(i) Is, or will be, the subject of state action; or

(ii) Is one to which the state is or will be a party; or

(iii) Is one in which the state has a direct and substantial proprietary interest.

(b) "Transaction involving the state" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by an officer or employee; or a claim, case, lawsuit, or similar matter if the officer or employee did not participate in the underlying transaction involving the state that is the basis for the claim, case, or lawsuit.

(31) "University" includes "state universities" and "regional universities" as defined in RCW 28B.10.016 and also includes any research or technology institute affiliated with a university.

(32) "University research employee" means a state officer or state employee employed by a university, but only to the extent the state officer or state employee is engaged in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities. [2025 c 377 s 1. Prior: 2022 c 173 s 1; 2022 c 71 s 15; prior: 2011 c 60 s 28; 2005 c 106 s 1; 1998 c 7 s 1; 1996 c 213 s 1; 1994 c 154 s 101.]

Expiration date—2025 c 377 ss 1, 9, 13, 21, 23, 25, and 27:

"Sections 1, 9, 13, 21, 23, 25, and 27 of this act expire January 1, 2026." [2025 c 377 s 30.]

Findings—Intent—2022 c 71: See note following RCW 28B.10.930.

Effective date—2011 c 60: See RCW 42.17A.919.

RCW 42.52.010 Definitions. (Effective January 1, 2026.) Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the legislative, executive, or judicial branch of state government. "Agency" includes all elective offices, the state legislature, those institutions of higher education created and supported by the state government, and those courts that are parts of state government. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Appearance" means the act of performing or participating in an event.

(3) "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another person, believing that the action is of help, aid, advice, or assistance to the person and with intent so to assist such person.

(4) "Beneficial interest" means a financial interest in a contract, sale, lease, purchase, or grant to which an individual subject to the act is not a party, but is an owner of an entity that is a party. An ownership interest of less than 10 percent of an entity is not a beneficial interest. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

[(5)] "Charitable association, institution, or organization" means any entity that provides services beneficial to the public to an open class of people.

(6) "Civic organization" means a nonprofit group relating to the duties or activities of people in relation to their town, city, or local area.

(7) "Community organization" means an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning.

(8) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.

(9) "Confidential information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

(10) "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement, or a sales agreement.

(11) "Emergency" means a serious, unexpected, and often dangerous situation requiring immediate action.

(12) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive ethics board.

(13) "Extraordinary award" means a national, state, or local award with very few recipients that is sufficiently infrequent to be noteworthy to a reasonable person.

(14) "Family" has the same meaning as "immediate family" in RCW 29B.10.280.

(15) "Federal holiday" means the legal public holidays provided in 5 U.S.C. Sec. 6103(a), as it existed on January 1, 2026.

(16) "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee, or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.

(17) "Honorarium" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.

(18) "Institution of higher education" has the same meaning as in RCW 28B.10.016.

(19) "Lobbying the legislature" means attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington.

(20) "Official duty" means those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the state Constitution.

(21) "Official position" means holding an office or having authority.

(22) "Participate" means to participate in state action or a proceeding personally and substantially as a state officer or state employee, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or otherwise but does not include preparation, consideration, or enactment of legislation or the performance of legislative duties.

(23) "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

(24) "Regulatory agency" means any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

(25) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

(26) "State action" means any action on the part of an agency, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(27) "State employee" means an individual who is employed by an agency in any branch of state government. For purposes of this chapter, employees of the superior courts are not state officers or state employees.

(28) "State officer" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state. "State officer" includes judges of the superior court, judges of the court of appeals, justices of the supreme court, members of the legislature together with the secretary of the senate and the chief clerk of the house of representatives, holders of elective offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or

committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. For the purposes of this chapter, "state officer" also includes any person exercising or undertaking to exercise the powers or functions of a state officer.

(29) "Thing of economic value," in addition to its ordinary meaning, includes:

(a) A loan, property interest, interest in a contract or other chose in action, and employment or another arrangement involving a right to compensation;

(b) An option, irrespective of the conditions to the exercise of the option; and

(c) A promise or undertaking for the present or future delivery or procurement.

(30) (a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

(i) Is, or will be, the subject of state action; or

(ii) Is one to which the state is or will be a party; or

(iii) Is one in which the state has a direct and substantial proprietary interest.

(b) "Transaction involving the state" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by an officer or employee; or a claim, case, lawsuit, or similar matter if the officer or employee did not participate in the underlying transaction involving the state that is the basis for the claim, case, or lawsuit.

(31) "University" includes "state universities" and "regional universities" as defined in RCW 28B.10.016 and also includes any research or technology institute affiliated with a university.

(32) "University research employee" means a state officer or state employee employed by a university, but only to the extent the state officer or state employee is engaged in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities. [2025 c 377 s 2; 2024 c 164 s 513. Prior: 2022 c 173 s 1; 2022 c 71 s 15; prior: 2011 c 60 s 28; 2005 c 106 s 1; 1998 c 7 s 1; 1996 c 213 s 1; 1994 c 154 s 101.]

Effective date—2025 c 377 ss 2, 10, 14, 22, 24, 26, and 28:

"Sections 2, 10, 14, 22, 24, 26, and 28 of this act take effect January 1, 2026." [2025 c 377 s 31.]

Intent—Construction—Rules remain valid—Effective date—2024 c 164: See notes following RCW 29B.10.010.

Findings—Intent—2022 c 71: See note following RCW 28B.10.930.

Effective date—2011 c 60: See note following RCW 29B.20.030.